
From: Kito, Melanie R CIV NAVFAC SW
Sent: Monday, June 8, 2009 5:14 PM
To: Macchiarella, Thomas L CIV OASN (I&E) BRAC PMO West; Gilkey, Douglas E CIV OASN (I&E) BRAC PMO West
Subject: FW: March Management Meeting Minutes
Attachments: HPS_Managers_Mtg_03 03 09_to Navy.doc

There are not many action items. Did we do something for the list of CDR documents?

1) Previous Actions Items

Navy will prepare a list of documents necessary to support the CDR package. The Navy will review the compiled list of documents internally and provide it to the team.

2) New Action Items

The EPA expressed concern regarding the timing of the FOSET reviews and the CDR package. It was suggested that the FOSET be prepared as early as possible and sent through various phases of reviews, including separate reviews for legal language and technical accuracy. EPA noted the technical reports supporting the FOSET are not all at a point where they can be cited before documents are final. Mr. Macchiarella will look into the topic.

-----Original Message-----

From: Hall, Steve [mailto:steve.hall@ttemi.com]
Sent: Monday, June 08, 2009 16:57
To: Kito, Melanie R CIV NAVFAC SW
Subject: March Management Meeting Minutes

Steve Hall, P.G.
Senior Project Manager
Tetra Tech EM inc.
1230 Columbia Street, Suite 1000
San Diego, CA 92101
Office: 619-321-6709
Cell: 713-829-5707
Fax: 619-525-7186

**HUNTERS POINT SHIPYARD MANAGERS MEETING
OFFICE OF PAUL HASTINGS JANOFSKY & WALKER
55 SECOND STREET, 24TH FLOOR, SAN FRANCISCO**

March 3, 2009, 1 to 3 pm

These minutes summarize the meeting of the City of San Francisco (City) and the Department of the Navy (Navy) Hunters Point Shipyard (HPS) Managers, held on March 3, 2009, at Office of Paul Hastings Janofsky & Walker, San Francisco, CA . Participants in the meeting included representatives from the Department of the Navy, the U.S. Environmental Protection Agency (EPA), the DTSC, the San Francisco Bay Regional Water Quality Control Board (Water Board), the California Department of Public Health (CDPH), the San Francisco Department of Public Health (SFDPH), and the City and County of San Francisco (CCSF). CCSF's developer, Lennar Corporation, also attended the meeting along with the Navy's consultant, Tetra Tech EM Inc. (Tetra Tech). These minutes present the main topics, decisions, and action items agreed to at the meeting. A list of attendees is included as [Attachment A](#). The agenda for the meeting is attached as [Attachment B](#). A complete list of action items identified during the meeting is provided at the end of the meeting summary.

I. Introductions, Meeting Guidelines, and Agenda Review

Amy Brownell (City of San Francisco Department of Public Health) began the meeting with introductions and a review of the agenda (see Attachment 2). She asked if there were any items to add to the agenda. Mr. Gilkey asked for time to discuss issues that have come up with the Restoration Advisory Board, and what thoughts the group could share on how to improve the process of obtaining community input. Ms. Brownell moved on to the first agenda item.

II. Radiological Issues

- 1) CDPH License Exemption Process for IR-7/18 and Integration with Early Transfer Documents (DTSC/CDPH/City/Navy).

Meetings between the Department of Toxic Substances Control (DTSC) and the California Department of Public Health, along with the City of San Francisco and Navy were held to discuss the license exemption process. Ms. Brownell reported Gary Butner (CDPH) and Bob Schlag (CDPH) provided direction on the license exemption process and requirements, adding that the remedial design documents for IR Sites 7 and 18 or the associated operation and maintenance documents would likely meet the requirements, and if they did not, it was likely the risk management plan would. Tom Lanphar (DTSC) added that the goal will be to provide CDPH with the documents necessary to develop a technical understanding of the sites, and make sure there are no gaps in the process. The goal is to provide the technical documentation of what quantity of radiological activity is remaining at the site.

Ms. Brownell explained the City will prepare a short letter to CDPH requesting the license exemption which may include a listing of relevant documents. The participants discussed how public comment would occur on the license exemption process and concluded that the public will be provided an opportunity to comment on the license exemption during the CERCLA process. EPA asked for clarification regarding the public comment process since the proposed plan, the typical time when public comments are solicited, have already been issued. The Navy pointed out that there are public comment components in the transfer process and the remedial design phase for the CERCLA sites.

2) Navy Status of Building 140 Sump & Channel

Laurie Lowman (RASO) updated the current status at Building 140 sumps saying the cap had been removed from the top of the 140 discharge and intake trench, and the ends capped, and some samples had been collected, but work had halted for safety reasons due to the rains that are filling the trench. Ms. Lowman reported work was at a standstill until the rains stopped.

Ms. Brownell asked for clarification if the sampling was occurring at both the intake and discharge channels, and pointed out that the use of an escrow mechanism to allow for transfer of Building 140 at the same time as Parcel B was still being considered.

The Navy provided the update that samples are being collected in the sediments of Parcel F, and specifically in the area of the discharge drains but at this time they did not have results of samples collected to date to share with the team.

Ms. Brownell inquired if the sediment investigation was completed by February 2010, did the Navy plan to include Building 140 in Parcel B transfer. The Navy stated they planned to complete the sediment investigation in time to include Building 140 in the Parcel B transfer, and proposed that by February 2010 they would make a decision on whether or not to include Building 140 in the Parcel B transfer.

3) Status of Navy/CDPH QA and Lab Samples Issues

Ms. Lowman reported that the Navy had conducted a site visit to Test America's facilities to compare the processes at Test America with the processes used by the on-site laboratory. Ms. Lowman reported that the comparison demonstrated that the two labs were able to provide comparable results and said the issue was very close to resolution.

Ms. Brownell asked if the remaining issues would have any impacts on the schedules. Mr. Forman stated it was not likely, the Final Scoping Survey for Former Building 114 had been completed and was ready for approval of unrestricted release for the area. CDPH indicated they were working on reviewing the documents. The next Final Scoping Survey scheduled to be reviewed is for Building 142, which should be delivered soon. Ms. Lowman mentioned there was a quality assurance (QA) issue that had been identified that the Navy was working with Test America to resolve.

4) Status of Parcel B & G Sewer/Storm Drain Trench Sampling for “Stubborn” Trenches

Ms. Lowman reported of the four “stubborn” trenches in Parcel B, three are filled with water, and in Parcel G, all the trenches are full of water from the recent rain events. The weather, specifically the rain, is impacting the teams ability to test and scan in the trenches. Ms. Lowman also noted one additional sewer line trench had been added to the investigation, inside Building 113, identified as radiologically impacted.

Ms. Brownell asked if the weather related delays at the “stubborn” trenches would impact the schedules. Mr. Forman said the projects had to wait for drier weather to continue sampling, but he did not anticipate any delays.

III. Status of ETCA negotiations – timeframe for regulatory agency input (City/Navy)

Ms. Brownell reported the City and the Navy had met and discussed the scope and language of the ETCA and prepared a list of topics for input from the regulatory agencies. Ms. Brownell indicated the requests for input may come in two packages, the first in April or May, would include the scope of the ETCA, and provide questions as appropriate, and identify the process, and the second, including more specific language would come at a later date.

EPA commented that the ETCA timeline will impact the Agreement on Consent (AOC) EPA is drafting. Ms. Brownell said she recognized the need for the ETCA schedule and the AOC schedule to be carefully coordinated together.

IV. Risk Management Plan (RMP) (City)

Ms. Brownell reported that she is reviewing a draft of the RMP and will provide comments to Lennar and MACTEC. Ms. Brownell reported that a table of contents had been distributed. Ms. Brownell recognizes the importance of this document in the early transfer process and plans to submit a draft version for review by the managers and counsel by mid March.

V. Restoration Advisory Board (RAB) Update

Doug Gilkey (Navy) began with an overview of the purpose of the RAB, a forum for community input, to present information and to receive feedback. He said that the forum is not functioning as planned, as only a small subset of the community is providing feedback at this time, rather than the community at large. Mr. Gilkey discussed alternatives that would meet the goal of soliciting public feedback from the community as a whole. Mr. Gilkey stated the Navy is considering their options, including the dissolution of the RAB and implementation of different methods for requesting community input. Mr. Gilkey explained the steps involved in restructuring the community feedback. First a letter would be sent to RAB members from the BRAC offices notifying them of the intent to dissolve the RAB. There would then be a 30 day

comment period. Following the comment period, a public notice would be posted of the intent to dissolve the RAB followed by another 30 day public comment period. Mr. Gilkey explained he wanted send the letter as quickly as possible, but did not want to send the letter until an alternative forum had been developed. He asked for comments from attendees on any solutions for alternatives that might be considered. He also noted there are likely to be adverse reactions from the community that will reflect badly on the Navy and the City of San Francisco.

Michael Cohen (City of San Francisco) said he understood about the importance of obtaining public input on projects, and felt that the current dynamic was the opposite of community input, and supported the Navy in their desire to improve the input process. Mr. Gilkey clarified the public outreach the Navy participates in for the HPS community is beyond what is required in the guidance. There was discussion regarding some of the recent outbursts at RAB meetings, and some of the experiences of other managers. The sense was a small subset of the community was limiting the flow of information to the members at large, which was not the goal of the project.

The February RAB meeting was cancelled. Mr. Gilkey discussed possible changes that could positively impact the RAB that would allow the reopening of the lines of communication. There was some feedback from other management team members that community members had attempted to disrupt other public comment forums in the past. Mr. Gilkey reiterated that public opinion does count and there are other community members excited about the possibility of a different forum. Mr. Forman also mentioned that there were concerns that the RAB issues might impact the early transfer schedule. Mr. Gilkey said he takes the issue very seriously, and it is an important process, but at this time does not feel that it is an appropriate use of resources. Tom Lanphar (DTSC) asked what can be done to fix the problem. The general consensus around the room was that it was past time for fixing the issue, it was time to find a new way to collect public comments.

VI. Schedule Update

Mr. Gilkey stated the extended field work is impacting schedules. The document review schedules are behind as well, because the field work is behind. The Navy is working to condense review times for future documents to meet deadlines. Mr. Gilkey stated a revised schedule should be submitted within a week or so.

Ms. Kito presented a summary schedule for the upcoming documents, and indicated the full project schedule is being finalized. Mr. Gilkey stated the next project schedule will be a baseline, any shifts in the schedule will show how they are impacting the overall schedule.

There was a question regarding the purpose of preparing a FOSL for Parcel B. Mr. Gilkey said it's being prepared as a failsafe measure to keep the transfer process moving forward, and allow for early work such as asbestos containing material abatement. The Navy said IR Site 7 and 18 are not to be included in the FOSL.

VIII. Closing

1) Previous Actions Items

Navy will prepare a list of documents necessary to support the CDR package. The Navy will review the compiled list of documents internally and provide it to the team.

2) New Action Items

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3) Next Meeting Date

The next managers meeting was set for June 9, 2009. A draft agenda will be prepared and forwarded prior to the meeting